

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JOSE LUIS PIMENTAL,	:	CRIMINAL NO.
Movant,	:	1:05-CR-0477-29 -CC-GGB
	:	
v.	:	CIVIL ACTION NO.
	:	1:09-CV-3194-CC-GGB
UNITED STATES OF AMERICA,	:	
Respondent.	:	MOTION TO VACATE
	:	28 U.S.C. § 2255

ORDER

The above entitled action is presently before the Court on the Magistrate Judge's Final Report and Recommendation recommending denying Movant's motion to vacate sentence under 28 U.S.C. § 2255. [Doc. 1552]. On October 3, 2011, Movant filed objections to the Report and Recommendation. [Doc. 1557]. The Court has reviewed the Report and Recommendation and finds the Magistrate Judge's conclusions to be well-founded. Movant's objections raise claims relating to his sentencing and, as discussed in the Report and Recommendation, those claims are barred by his knowing and voluntary waiver of the right to collaterally attack his sentence. Thus, Movant's objections are overruled.

IT IS HEREBY ORDERED that the Court **ADOPTS** the Magistrate Judge's Report and Recommendation. Movant's § 2255 motion [Doc. 1468] is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability be **DENIED**.

The Clerk is directed to close this action.

IT IS SO ORDERED this 23rd day of November, 2011.

s/ CLARENCE COOPER
CLARENCE COOPER
UNITED STATES DISTRICT JUDGE